

## 2011 DRAFTING REQUEST

### Bill

Received: 02/06/2012

Received By: tdodge

Wanted: As time permits

Companion to LRB: -2877

For: Joel Kleefisch (608) 266-8551

By/Representing: Stephanie

May Contact: Sen. Jauch's office

Drafter: tdodge

Subject: Health - public health

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Kleefisch@legis.wisconsin.gov

Carbon copy (CC:) to: tamara.dodge@legis.wisconsin.gov  
fern.knepp@legis.wisconsin.gov

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### Pre Topic:

No specific pre topic given

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### Topic:

Require pulse-oximetry test for newborns

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### Instructions:

See attached.

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	tdodge 02/06/2012	jdye 02/07/2012		_____ _____			S&L
/1			jfrantze 02/07/2012	_____ _____	sbasford 02/07/2012	ggodwin 02/08/2012	

FE Sent For:

atw  
2/23

<END>

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/?	tdodge	1 2/7 jld	7	2/7			

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<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB -

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

2/6, (6-8552)

Stephanie from Rep. Kleefisch's office called to request companion for LRB-2877/2.

Called Jeff from Senator Jauch's office. He released to Kleefisch, LRB-2877 (pulse oximetry)

TJD



State of Wisconsin  
2011 - 2012 LEGISLATURE

In. 2/6/12 8007



40251

LRB-2877/2

TJD:jld:rs

RMNR

keep

2011 BILL

Companion  
no changes

Regen

- 1 AN ACT *to create* 253.113 of the statutes; **relating to:** requiring pulse oximetry  
2 in newborns.

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***Analysis by the Legislative Reference Bureau***

Under current law, the attending physician or nurse-midwife must ensure that every infant born undergoes a blood test for congenital disorders and metabolic disorders and a screening for hearing loss. This bill requires the physician, nurse-midwife, or certified professional midwife, who attended a birth to ensure that the infant is screened for a congenital heart defect using pulse oximetry before the infant is discharged from the hospital. The bill also requires the physician, nurse-midwife, or certified professional midwife, who attended the birth to ensure that a parent or legal guardian of the infant is advised of the screening result and, if the infant has an abnormal screening result, to ensure that a parent or legal guardian of the infant is provided information on available resources for further diagnosis and treatment for a possible congenital heart defect.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

- 3 SECTION 1. 253.113 of the statutes is created to read:

**BILL****SECTION 1**

1           **253.113 Newborn pulse-oximetry screening. (1) DEFINITIONS.** In this  
2 section:

3           (a) "Hospital" has the meaning given in s. 50.33 (2).

4           (b) "Infant" means a child from birth to 3 months of age.

5           (c) "Pulse oximetry" means a method of measuring the oxygen saturation of  
6 arterial blood in a subject using a sensor attached to a finger, toe, or ear to determine  
7 the percentage of oxyhemoglobin in blood pulsating through a network of capillaries.

8           **(2) SCREENING REQUIRED.** Except as provided in sub. (3), the physician,  
9 nurse-midwife licensed under s. 441.15, or certified professional midwife licensed  
10 under s. 440.982, who attended a birth shall ensure that the infant is screened for  
11 a congenital heart defect using pulse oximetry before the infant is discharged from  
12 the hospital.

13           **(3) EXCEPTIONS.** (a) Subsection (2) does not apply if a parent or legal guardian  
14 of the infant objects to pulse oximetry on the grounds that the screening conflicts  
15 with his or her religious tenets and practices.

16           (b) No screening may be performed under sub. (2) unless a parent or legal  
17 guardian of the infant is fully informed of the purposes of pulse oximetry and has  
18 been given reasonable opportunity to object under par. (a) to the screening.

19           **(4) SCREENING RESULTS.** The physician, nurse-midwife licensed under s. 441.15,  
20 or certified professional midwife licensed under s. 440.982, who is required to ensure  
21 that the infant is screened under sub. (2) shall do all of the following:

22           (a) Ensure that a parent or legal guardian of the infant is advised of the  
23 screening result.

# BILL

(b) If the infant has an abnormal screening result, ensure that a parent or legal guardian of the infant is provided information on available resources for further diagnosis and treatment for a possible congenital heart defect.

(5) RULES. The department may specify, by rule, how to complete the screening under sub. (2).

## SECTION 2. Nonstatutory provisions.

(1) A physician, nurse-midwife, or certified professional midwife, who attended the birth of an infant in a hospital in which 500 or fewer infants were delivered in the 2011 calendar year is not required to comply with section 253.113 of the statutes, as created by this act, until the first day of the 7th month beginning after the effective date of this subsection.

**SECTION 3. Effective date.**

(1) This act takes effect on the first day of the 7th month beginning after publication.

(END)

**Basford, Sarah**

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**From:** Dodge, Tamara  
**Sent:** Wednesday, February 08, 2012 3:25 PM  
**To:** Barman, Mike; Basford, Sarah  
**Subject:** Jacket request

Mike and Sarah,

Could one of you please jacket LRB-4025 for the assembly (Rep. Kleefisch) or pass this on to Gigi or Lori to do. Thanks.  
Tami

**Tamara J. Dodge**

Attorney  
Wisconsin Legislative Reference Bureau  
P.O. Box 2037  
Madison, WI 53701-2037  
(608) 267 - 7380  
tamara.dodge@legis.wisconsin.gov